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April 29, 2006

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Title: Evolution-based Functional Genomics
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Serial No.: 10/765,120
Filing Date: January 28, 2004
SMALL ENTITY

Certificate of Mailing. This application is deposited with the United States Post Office on or before April 30, 2006 in an envelope with full postage.

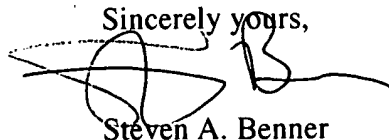
This communication is responsive to a communication of (date mailed) January 30, 2006, communicating that Claims 1-12 are subject to restriction and/or election requirements.

The Applicant respectfully chooses to elect claims 9-12. Please amend the above specified application to cancel Claims 1-8.

Since Claim 11 makes reference to Claim 8, please amend Claim 11 to read as follows:

Claim 11 [Amended]. The method of Claim 9, when the dates of events in the evolutionary history of said family is estimated by estimating the number of silent transitions in codons encoding conserved cysteine, aspartic acid, glutamic acid, phenylalanine, histidine, lysine, asparagine, glutamine, and tyrosine residues in an episode of that evolutionary history, estimating the total of such conserved codons, obtaining a ratio by dividing said number by said total, and making reference to a time-calibrated scale for said ratio.

Sincerely yours,



Steven A. Benner